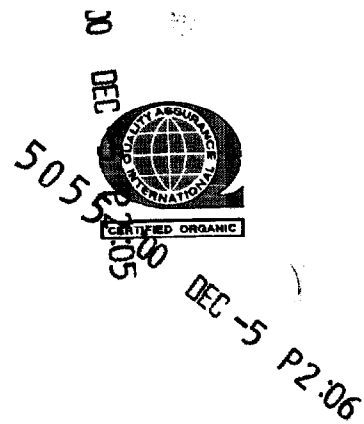




Jonathan Sprouts, Inc

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Dockets Management Branch
(HFA-305)
Food & Drug Administration
530 Fishers Lane, Rm 1061
Rockville, MD 20852
RE. Docket No. 99F-2673

November 27, 2000

To Whom it May Concern:

I am writing in response to the FDA's recent ruling concerning the use of irradiation on sprouting seed, and its determination that this treatment does not require any special labeling on sprout products.

In making this ruling, the FDA is drawing a distinction between the food grown from seeds, which is the sprouts, and the seeds themselves, even though the FDA has determined that all seeds intended for sprouting are considered to be food from the time they are so designated.

The changes which occur between the seed stage and the sprout stage, mentioned in the FDA ruling as a reason to exempt sprouts grown from irradiated seed from special labeling, should strengthen the argument for requiring such labeling. The mention in the FDA ruling of increased levels of vitamin A in sprouts grown from irradiated seed is a clear proof that the treatment of the seeds directly affects certain properties of the sprouts. It is unwarranted to assume that these changes are either insignificant, or by mentioning an increase in vitamin A, implying that seed irradiation results in an improved sprout product.

There is no mention in the FDA ruling of the morphological changes in sprouts grown from irradiated seed. These changes are obvious proof of a consequence of irradiation which is undetectable in the seed, but which increases during sprout growth. The failure to mention this phenomenon, while at the same time reporting possible increases in vitamin A, suggests a bias in the process by which the irradiation treatment has been evaluated.

The rationale for keeping irradiation of sprouting seeds, or any other food, secret from the public would seem to be predicated on the idea that it is irrelevant. However, many people feel that the irradiation of food is extremely relevant. Some might prefer that food be irradiated, and some might prefer that it not be. But the treatment is certainly not one of the countless details about food which go without mention because they are either self-evident, or of no interest or concern.

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For this reason, the ruling exempting sprouts grown from irradiated seed from special labeling suggests that the FDA is taking the position that its proper role is to protect the public from its own possibly incorrect opinions. However, it could be argued that public opinions and interpretations regarding other labeling information- for example, nutrition information- cover the gamut of scientific validity, and yet the information is required because it is of concern to the public.

For a government agency to conceal information from the public, in order to protect the public from making judgments and interpretations which the government feels are unjustified, is a formula for the disintegration of the democratic process. This practice, although perhaps necessary in rare instances of national security, carries with it the greatest risk of an abuse of power, and should not become a common practice in areas such as food labeling.

An additional reason why irradiation of food should be indicated on labeling is that there is a growing body of evidence linking the increasing use of broad-spectrum sanitizing and sterilizing treatments on food with dysfunction of the human immune response. For the FDA to take the position that all such sanitizing steps, which do not leave toxic residues, enhance the safety of food is simply incorrect.

It is not acceptable to sidestep the issue by saying that the irradiation process on sprouting seed does not sterilize the resulting sprouts. Little, if any, research has been done on the nature of the organisms which survive the irradiation process. The problems associated with replacing a complex population of normal flora with an equivalent number of possibly more uniform organisms which have survived a sanitizing treatment, may be at least as significant as the problems associated with eliminating all microorganisms from food.

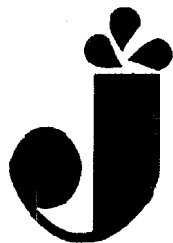
The microbiological complexity of sprouts, while creating challenges in terms of food safety, is not in itself a problem to be eliminated by irradiation or other means. Until the scientific establishment has carried out a great deal more research into our interdependency with our microbial environment, the public deserves to know whether broad-spectrum biocides have been used on the food we consume.

I strongly urge that the FDA change its ruling which exempts sprouts grown from irradiated seed from irradiation labeling requirements. If necessary, I would like to request a hearing to discuss further my reasons for making this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Sanderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert Sanderson
President



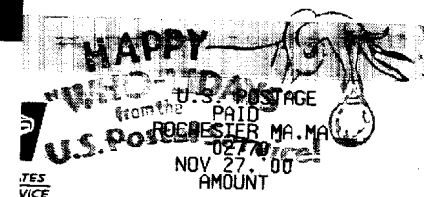
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